

The Regulation to REQUIRE NUTRITION LABELING in King County Chain Restaurants

(Chapter 5.10 of the King County Board of Health Code)

How to Comply: What Your Chain Restaurant Needs to Know About Posting Nutrition Information

NUTRITIONAL INFORMATION

The Dietary Guidelines for Americans¹ recommend limiting saturated fat to 20 grams and sodium to 2,300 milligrams for a typical adult eating 2,000 calories daily. Recommended limits may be higher or lower depending upon daily calorie consumption.

APPETIZERS

	CALORIES	SATURATED FAT (g)	SODIUM (mg)	CARB (g)
Sicilian Garlic Cheese Bread	1410	40	2730	110
Shrimp Spinach and Artichoke Dip	590	17	1130	39
Olive Tapenade	770	4.5	1120	76
Bread & Butter (ONE LOAF)	630	15	980	85

SOUPS

SOUPS	CALORIES	SATURATED FAT (g)	SODIUM (mg)	CARB (g)
Cream of Broccoli	240	8	1010	21
Chicken Mulligatawny	260	9	930	20
Clam Chowder Soup	370	15	1210	19
Minestrone Soup	60	-	660	10

SALADS

SALADS	CALORIES	SATURATED FAT (g)	SODIUM (mg)	CARB (g)
House Salad-Creamy Pesto	280	3	390	13
House Salad-Balsamic	260	1.5	290	15
House Salad-FF Honey Mustard	120	-	280	21
House Salad-1000 Island	230	2	560	16
House Salad-Blue Cheese	280	3.5	450	13

ENTRÉE SALADS

	CALORIES	SATURATED FAT (g)	SODIUM (mg)	CARB (g)
BLT Salad	1000	21	2490	23
Chicken Caesar Salad	990	18	2410	30

SIGNATURE SELECTIONS

	CALORIES	SATURATED FAT (g)	SODIUM (mg)	CARB (g)
<i>Spaghetti Vesuvius</i>	720	8	710	105
<i>Meatloaf Italian Style</i>	1180	32	1590	83
<i>Lasagna Vegetariano</i>	830	25	1920	68
<i>Jumbo Crab Ravioli</i>	810	24	920	73
<i>Chicken Penne</i>	900	17	1700	113
<i>Baked Chicken</i>	1030	20	2220	71

The nutritional data are only estimated values of nutritional content. Actual nutritional values may vary from these estimates based on a number of factors.



Pasta Classics	
Italian Garlic Cheese Bread	\$6.95
Cheese with Rich Meat Sauce	\$7.95
White Clam Sauce	\$8.95
Mushrooms Cheese	\$9.95
With Marinara Sauce	\$10.95
Meatballs	\$11.95
Willie's Meatballs	\$12.95

MANAGER'S FAVORITES

Marina
and Brown
Mushroom
Mushroom
and Brown
Clam/Meat
Brown Butter
Mizithra Cheese
Brown Butter
Mizithra Cheese
Meatballs

and Meat
and Broccoli
Side-Sausage
All Pasta Classics
Spaghetti
Alternative pastas
Wheat
Free

13

Ang
Whole
Gluten-F

HEART

ARB
(g)
23
30

erty Ri
y M

CARB
(g)
105
83

68
73
113
71

The King County Board of Health's nutrition labeling regulation requires some chain restaurants permitted by Public Health – Seattle & King County to provide calorie, carbohydrate, saturated fat and sodium information to customers. Only calorie information is required on the menu boards of quick-service restaurants with all other required nutrition information available at or before the point of ordering in a pamphlet, poster or similar document. Full-service restaurants must include all required nutrition information on menus or other approved alternative methods.

- ▶ **August 1, 2008 – December 31, 2008:** Chain restaurants must show their Public Health inspectors that they are taking steps to meet the regulation.
- ▶ **January 1, 2009:** Chain restaurants must have required nutrition information posted.
- ▶ **August 1, 2009:** Chain restaurants with drive-through service must have required nutrition information posted at drive-throughs.

WHO DOES IT APPLY TO?

The regulation applies to chain restaurants that:

- ▶ **Are one of 15 or more national locations**
- ▶ **Do business under the same name (regardless of ownership)**
- ▶ **Have 80 percent or more of substantially the same standard menu items at 15 or more restaurants**
- ▶ **Collectively have at least \$1 million or more in gross annual sales**
- ▶ **Operate within another business that may or may not be subject to the regulation (e.g. chain restaurant located within a grocery store)**

This regulation DOES NOT apply to:

- ▶ **Grocery stores**
- ▶ **Convenience stores**
- ▶ **Schools**
- ▶ **Theaters**
- ▶ **Self-service (e.g. salad bar, buffet, etc.)**
- ▶ **Food tags**

REQUIREMENTS

The nutrition labeling regulation requires chain restaurants to post nutrition information on menus and menu boards. A **menu** is defined as a printed list or pictorial display of a food item or items available for sale from a restaurant and includes menus distributed or provided outside of the restaurant for purposes of ordering.

Chain restaurants are required to provide total amounts of the following for each standard menu item (acceptable abbreviations):

- | | |
|---------------------------------------|---|
| ▶ Calories (cal) | ▶ Grams of saturated fat (sat fat) |
| ▶ Grams of carbohydrate (carb) | ▶ Milligrams of sodium (sodium) |

Substantially the same menu items means that eighty percent or more of the menu items served in at least fifteen locations of a chain restaurant are the same and are prepared using a standard recipe. Beverages that are prepared on site using a standard recipe will be counted as menu items when determining whether that restaurant meets the definition of serving substantially the same menu items. Other types of beverages are not included in this calculation.

A **standard menu item** is a food item offered for sale for more than 90 days per year that uses a standardized recipe and is served in at least 15 chain locations. This does not include:

- | | |
|--|--------------------------------------|
| ▶ Foods sold using food tags | ▶ Unopened pre-packaged foods |
| ▶ Foods sold by weight | ▶ Custom-orders |
| ▶ Condiments, unless used as an ingredient in a standard recipe | |

A **standard recipe** means a recipe or formula used in preparing a menu item or meal that is consistent from one restaurant to the next in a chain.

CHAIN RESTAURANTS WITH MENUS

Restaurants with menus must provide customers with calorie, saturated fat, carbohydrate and sodium information for each standard item on the menu.

Nutrition information must be listed next to each standard menu item in at least nine-point font and in a typeface similar to other information about each menu item such as descriptions or price.

Restaurants may choose to use one of the following approved alternative methods to provide nutrition information:

- ▶ **Menu insert**
- ▶ **Menu appendix**
- ▶ **Supplemental menu**
- ▶ **Electronic kiosk**

When using an approved alternative method, restaurants must include a statement on each page of the menu describing where the nutrition information is located. For example, "Nutrition information is available in the appendix at the back of this menu." For details outlining each approved alternative method, refer to the checklist at the back of this brochure.

The following dietary statement must also be printed clearly once on the menu or on any alternative method:

"The Dietary Guidelines for Americans recommend limiting saturated fat to 20 grams and sodium to 2,300 milligrams for a typical adult eating 2,000 calories daily. Recommended limits may be higher or lower depending upon daily calorie consumption."

CHAIN RESTAURANTS WITH MENU BOARDS

Restaurants are required to post **only** the number of calories **on the menu board** in a font size and typeface similar to the prices on the menu board. Restaurants may choose to use one of the following approved alternative methods to provide nutrition information:

- ▶ **A sign adjacent to the menu board**
- ▶ **A sign in queue (line)**

For details outlining each alternative method, refer to the checklist at the back of this brochure. The remaining nutrition information (saturated fat, carbohydrates and sodium) must be **clearly visible** and available **at or before the point of ordering** in a pamphlet, poster or similar document. Printed materials must also include the following dietary statement:

"The Dietary Guidelines for Americans recommend limiting saturated fat to 20 grams and sodium to 2,300 milligrams for a typical adult eating 2,000 calories daily. Recommended limits may be higher or lower depending upon daily calorie consumption."

CHAIN RESTAURANTS WITH DRIVE-THROUGHS

Drive-through menu boards at chain restaurants will have until August 1, 2009 to post calories. The requirements for posting calorie information are the same as for menu boards or their approved alternative methods.

APPROVAL FOR SUBSTANTIALLY EQUIVALENT METHOD

A restaurant may propose a method of nutrition labeling not identified in the regulation. Substantially equivalent methods must be approved by Public Health first. If you would like to submit a proposal for a substantially equivalent method, please follow the instructions found on the Healthy Eating Web site, in the Nutrition Labeling Help Center at <http://www.kingcounty.gov/health/healthyeating>.

OTHER SPECIFIC ISSUES

Soft Drinks on Menus:

Nutrition information must be listed individually for each flavor and size of soft drink.

Soft Drinks on Menu Boards:

Calories may be listed individually for each flavor and size of soft drink; or, list all soft drink flavors and provide a range of calories for each size. Diet soft drinks must be listed separately. Other required nutrition information for each size and flavor of soft drink must be available at or before the point of ordering.

Menu board example:

COLA, ORANGE			DIET COLA, DIET ORANGE		
Small	Medium	Large	Small	Medium	Large
Cal	Cal	Cal	Cal	Cal	Cal
000-000	000-000	000-000	00-00	00-00	00-00

Alcoholic Beverages

Chain restaurants may provide actual nutrition information for each alcoholic beverage or must use these average values (calories, carbohydrates and sodium) for beers, wines and spirits:

- ▶ **Red/white wine – 5 ounces:**
122 cal; 4 g carb;
7 mg of sodium
- ▶ **Light beer – 12 ounces:**
103 cal; 6 g carb;
14 mg of sodium
- ▶ **Regular beer – 12 ounces:**
153 cal; 13 g carb;
14 mg of sodium
- ▶ **Distilled spirits (80 proof gin, rum, vodka, or whiskey) – 1.5 ounces:**
96 cal

For restaurants that post alcoholic beverages on menu boards, only calories are required on the board. Other required nutrition information must be available at or before the point of ordering. The nutrition labeling may include the following disclaimer statement:

"Signature drinks or liqueurs with added ingredients may increase caloric content."

Family-style meals

A family style entrée or meal must list the total calories and other required nutritional information (saturated fat, carbohydrates and sodium) for the entire family style standard menu item. The suggested number of servings may be listed.

Pizza

Each pizza that is a standard menu item must list the calories by the slice or the total calories for the whole pizza **for every size** and **variety**. Calorie ranges from lowest to highest are acceptable as long as the range reflects the variation of available crusts for each size.

Combo Meals on Menu Boards

When combo meals are standard menu items, calories must be posted in a range from lowest to highest for all possible variations. Each possible selection for the combo meal must be listed, with calories, on the menu board.

The following is an example of how a combo meal is posted:

Combo meal #1:

#1 CHEESEBURGER COMBO	\$4.99	690-930 cal.
Cheeseburger		
Medium Fries		
Medium Drink		

The following is an example of how the above combo meal was calculated:

Cheeseburger = 310 cal

Medium Fries = 380 cal

Med Drink options:

Diet Coke = 0 cal; Coke = 210 cal; Sprite = 210 cal; Orange = 240 cal; Orange Juice = 180 cal; or iced tea = 0 cal

Lowest is 690 calories:

Cheeseburger 310 cal

Medium Fries 380 cal

Diet Coke/Iced Tea 0 cal

Total 690 cal

Highest is 930 calories:

Cheeseburger 310 cal

Medium Fries 380 cal

Orange 240 cal

Total 930 cal

Combo Meals on Menus

Combo meals listed as a standard menu item must provide all required nutrition information for that combo meal.

Component Meals on Menu Boards

Some standard menu items such as burritos, rice bowls or choice of entrees with sides, may require consumers to choose different components that are made from standard recipes. For example, when ordering a burrito, consumers may choose the type of meat, rice, beans, bread and/or a sauce for a standard menu item which would have a range of calories.

Calories must be posted for each possible final standard menu item on the menu board (one posting for each variation of the standard components) **or** post calorie ranges for all possible variations of the standard menu item.

When using calorie ranges, saturated fat, carbohydrates and sodium must be included for each component, provided separately and not in ranges at or before the point of ordering.

Component Meals on Menus

Restaurants must print the calories, saturated fat, carbohydrates and sodium for each possible final standard menu item in one of the following ways:

- ▶ **On the menu (list each possible variation of standard components)**
- ▶ **Using an approved alternative method for menus (list each possible variation of standard components)**
- ▶ **Using calorie ranges, from the lowest to the highest calories for all possible variations of the standard menu item.**

NOTE: If using calorie ranges, the other required nutrition information for each component must also be provided, but can not be in ranges.

Generic Menu Items

If a food is advertised generically, like “pizza by the slice \$00,” then nutrition labeling is not required. A “slice of pepperoni pizza” is a standard menu item and requires nutrition labeling.

Other examples such as “toast,” “ice cream,” “donuts” and “slice of pie” are generic titles of menu items and nutrition labeling is not required.

When specific flavors or varieties of a standard menu item are listed separately on a menu or menu board (e.g. chocolate, vanilla and strawberry ice cream or blueberry, apple and peach pie), nutrition labeling is required.

Getting Nutrition Analysis Done

Calorie and nutritional analysis using reasonable bases is required once per standard menu item. Portion sizes must be reasonably consistent and follow a standard recipe. Staff should be trained to use consistent methods of preparation. Public Health may request to see documentation of the reasonable bases of the nutritional analysis.

Permissible Disclaimer

The menu or menu board can include a disclaimer stating that there may be variations in the nutrition content based upon serving size, quantity of ingredients or customizing an order.

ENFORCEMENT

If an inspector is concerned about the accuracy of the nutrition label for a menu item, the inspector may refer this to a Public Health nutrition professional. Technical assistance will be provided.

Those restaurants found in violation will be assessed one five-point blue – non-critical – violation for improper labeling, even if multiple nutrition labeling violations are found during an inspection. Violations will be posted beginning January 1, 2009 on both the Restaurant Inspection Web site and on the Healthy Eating Web site under Nutrition Labeling, Establishments Not in Compliance.

NUTRITION LABELING CHECKLIST

Menus, Menu Boards and Drive Throughs for King County Chain Restaurants

The following checklist may be used to assist in preparing for King County Nutrition Labeling Regulation #08-02 which goes into full effect January 1, 2009. This checklist is designed to assist King County chain restaurants in implementing the nutrition labeling regulation but does not replace carefully reading the regulation found on the Healthy Eating site at <http://www.kingcounty.gov/health/healthyeating>.

NUTRITION LABELING REQUIREMENTS

MENU BOARDS AND MENUS:

Required dietary statement printed once:

"The Dietary Guidelines for Americans recommend limiting saturated fat to 20 grams and sodium to 2,300 milligrams for a typical adult eating 2,000 calories daily. Recommended limits may be higher or lower depending upon daily calorie consumption."

- ☐ On menu or an approved alternative method
- ☐ On menu board, an approved alternative method or other available format with required nutrition information

Alcoholic Beverage:

- ☐ Actual nutrition values or approved average nutrition values for wine, regular beer, light beer or distilled spirits printed once on the menu.
(Example: red/white wine – 5 ounces: 122 cal; 4 g carb; 7 mg sodium)
- ☐ Calories only posted on menu board. Other required nutrition information (total carbohydrates, saturated fat and sodium) are posted in a pamphlet, poster or similar document.
- ☐ Optional disclaimer statement:
"Signature drinks or liquors with added ingredients may increase caloric content."

Family Style Menu Items:

- ☐ Posting the total calories for each whole standard menu item. Exception: pizza may be labeled by the slice for each size of each standard pizza.
- ☐ Other nutrition information is posted with the calories on the menu, and in another format (pamphlet, poster etc.) for menu boards.

Standard menu items comprised of standard components:

- ☐ Posting nutrition information according to options set out in the nutrition labeling policies and procedures at <http://www.kingcounty.gov/health/healthyeating>.

Disclaimer Statement – Optional:

Example: *There may be variations in the nutrition content based upon serving size, quantity of ingredients, or based upon customizing an order.*

To apply for a substantially equivalent method:

Chains requesting approval for testing a proposed variance from the nutrition labeling regulation must complete and submit a substantially equivalent form.

- ☐ Forms and directions, including guidelines for evaluation, are available online at <http://www.kingcounty.gov/health/healthyeating> or call 206-205-3349.

MENUS:

- ☐ Posted next to each standard menu item (nutrition labeling is beneath, on right or left of menu item)
- ☐ List total calories, saturated fat, carbohydrate and sodium (approved abbreviations: “cal”, “sat fat” and “carb”)
- ☐ Are printed in 9 point font or larger
- ☐ Are easily readable
- ☐ Are printed in a typeface similar to price, title or description

Approved Alternative Methods for Nutrition Labeling

- ☐ Includes a clear and prominent statement on **each page** of the menu stating the location and which approved alternative method is being used for nutrition labeling.

Example: *Nutrition information is in the menu appendix at the back of this menu.*

1. MENU INSERT – NUTRITION LABELING

(Menu inserts do not require photos or menu item descriptions as used on the menu.)

- ☐ Insert is placed in each menu or presented with menu to consumers
- ☐ Lists calories, carbohydrates, saturated fat and sodium information next to each standard menu item
- ☐ Is printed in 9 point font or larger
- ☐ Is easily readable
- ☐ Lists food categories and menu items in the same order as menu

2. MENU APPENDIX

(A menu appendix does not require photos or menu item descriptions as used on the menu.)

- ☐ Is attached in the back of the menu
- ☐ Lists calories, carbohydrates, saturated fat and sodium information printed next to each standard menu item
- ☐ Is printed in 9 point font or larger
- ☐ Is easily readable
- ☐ Lists food categories and menu items in the same order as menu

3. SUPPLEMENTAL MENU

(Supplemental menus do not require photos or menu item descriptions as used on the menu.)

- ☐ Is similar in general appearance to the regular menu
- ☐ Is available at each point of ordering or presented with the menu
- ☐ Lists food categories and menu items in the same order as menu
- ☐ Lists calories, carbohydrates, saturated fat and sodium information next to each standard menu item
- ☐ Is printed in 9 point font or larger with a typeface similar to the menu
- ☐ Is easily readable

4. ELECTRONIC KIOSK

- ☐ Is available at each point of ordering
- ☐ Lists calories, carbohydrates, saturated fat and sodium information next to each standard menu item
- ☐ Is easily readable
- ☐ Can easily compare nutrition labeling for similar menu items
- ☐ Lists food categories and menu items in the same order as the menu

MENU BOARDS AND DRIVE-THROUGHS:

- ☐ **Post total calories next to each standard menu item**
- ☐ **List saturated fat, carbohydrates and sodium for standard menu items on the menu board using another format that is visible, easily readable and available before ordering without requesting it**
(Note: there is no minimum font size)
- ☐ **List calorie ranges for combo meals (lowest to highest from all possible variations)**
- ☐ **Calorie font size is as prominent as the prices on menu board**

Drive-through:

- ☐ Has nutrition labeling of calories posted on menu boards by **August 1, 2009**
- ☐ May use approved alternative methods for menu boards (below)
- ☐ Provides easily readable nutrition information
- ☐ Has a pamphlet, poster or other similar document providing nutrition information plainly visible at the first window or another location in the queue that customers may access easily

Approved Alternative Methods for Menu Boards

1. SIGN ADJACENT TO MENU BOARD

- ☐ Is located on the same wall and in the same line of sight as the menu board
- ☐ Posts the calories next to each standard menu item
- ☐ Is easily readable, and in a font size that is at least as prominent as the menu items or prices
- ☐ Lists food categories and standard menu items in the same order as they appear on the menu board
- ☐ Other required nutrition information for each standard menu item is provided in a pamphlet, poster or other similar document, and is:
 - ☐ Easily readable
 - ☐ Plainly visible at or before the point of ordering

2. SIGN IN THE QUEUE (LINE):

- ☐ Minimum size is 2 ft by 3 ft
- ☐ Is located at eye level with bottom of sign no lower than 4 ft and top no higher than 8 ft from the ground
- ☐ Is in clear view before consumers order whether inside or in the drive-through (nutrition labeling at the drive through goes into effect August 1, 2009.)
- ☐ Lists food categories and standard menu items in the same order as they appear on the menu board
- ☐ Lists calorie labeling next to each standard menu item
- ☐ Uses 40 point font or larger
- ☐ Is easily readable and appears similar to menu board
- ☐ Is printed in a typeface similar to the menu board
- ☐ Other nutrition information for each standard menu item is provided in a pamphlet, poster or other similar document, and is:
 - ☐ Easily readable
 - ☐ Plainly visible at or before the point of ordering

MORE INFORMATION

To learn more about the nutrition labeling regulation in King County or leave a comment, visit the Public Health's Healthy Eating Web site at <http://www.kingcounty.gov/health/healthyeating>.

If you have further questions about nutrition labeling in your facility, email mlandtf@kingcounty.gov or call (206) 205-3349.